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PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: KOLASSA ET AL-1 PCT
SERIAL NO.: 10/520,442
FILED: JANUARY 6, 2005
TITLE: METHOD FOR FILLING HORIZONTAL FLUE COKING OVEN

SUBMISSION OF INTERNATIONAL PRELIMINARY EXAMINATION REPORT

MAIL STOP AMENDMENTS

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Attached hereto is a copy of the English translation of the International Preliminary Examination Report.

It is hereby requested that receipt of this English translation of the International Preliminary Examination Report be acknowledged by the Patent Office.

Respectfully submitted,
Oliver KOLASSA ET AL.

COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802

Allison C. Collard, Reg. No. 22,532
Elizabeth Collard Richter, Reg. No. 35, 103
Attorneys for Applicants

Enclosures: Copy of English Translation of International Preliminary Examination Report

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 5, 2005.

Maria Guastella

From the INTERNATIONAL BUREAU

PCT

**NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

(PCT Rule 72.2)

To:

ALBRECHT, Rainer
Andrejewski, Honke & Sozien
Theaterplatz 3
45127 Essen
ALLEMAGNE

Date of mailing (<i>day/month/year</i>) 24 February 2005 (24.02.2005)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference 97 295/K/AI	
International application No. PCT/EP2003/006154	International filing date (<i>day/month/year</i>) 12 June 2003 (12.06.2003)
Applicant THYSSEN KRUPP ENCOKE GMBH et al	

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

2. Transmittal of the copy of the translation to the elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

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The following elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

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3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 740 14 35	Authorized officer Agnes Wittmann-Regis Facsimile No. +41 22 338 89 70
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Translation

PATENT COOPERATION TREATY

PCT/EP2003/006154



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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 97 295/RA/AI	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP2003/006154	International filing date (day/month/year) 12 June 2003 (12.06.2003)	Priority date (day/month/year) 16 July 2002 (16.07.2002)
International Patent Classification (IPC) or national classification and IPC C10B 31/08		
Applicant THYSSEN KRUPP ENCOKE GMBH		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
- ☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 5 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 18 October 2003 (18.10.2003)	Date of completion of this report 17 March 2004 (17.03.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP2003/006154

I. Basis of the report

1. This report has been drawn on the basis of *(Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.)*:

- ☐ the international application as originally filed.
- ☒ the description, pages _____, as originally filed,
pages 5, filed with the demand,
pages 1-4, filed with the letter of 27 February 2004 (27.02.2004),
pages _____, filed with the letter of _____.
- ☒ the claims, Nos. _____, as originally filed,
Nos. _____, as amended under Article 19,
Nos. _____, filed with the demand,
Nos. 1-4, filed with the letter of 27 February 2004 (27.02.2004),
Nos. _____, filed with the letter of _____.
- ☒ the drawings, sheets/fig 1/1, as originally filed,
sheets/fig _____, filed with the demand,
sheets/fig _____, filed with the letter of _____,
sheets/fig _____, filed with the letter of _____.

2. The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

4. Additional observations, if necessary:

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1 - 4	YES
	Claims		NO
Inventive step (IS)	Claims	1 - 4	YES
	Claims		NO
Industrial applicability (IA)	Claims	1 - 4	YES
	Claims		NO

2. Citations and explanations

1. Reference is made to the following documents:

D1: FR 897 676 A (FORSANS PIERRE-EUGENE-HENRI)

28 March 1945 (1945-03-28)

D2: DD 118 671 A (HARTUNG, KUHN & CO.) 12 March 1976
(1976-03-12)

D3: DE 976 745 C (STILL FA CARL) 9 April 1964
(1964-04-09)

2. The present application meets the requirements of PCT Article 33(1).

2.1 The subject matter of claims 1-4 is novel within the meaning of PCT Article 33(2) because the process for filling a horizontal-chamber oven as per independent claim 1 cannot be deduced from any of the citations in the international search report.

2.2 D1, which is considered to represent the closest prior art, discloses the features indicated in the preamble of claim 1.

The subject matter of claim 1 differs from D1 in that, to achieve a maximally level charge surface,

the speed of the discharge element is controlled during filling, being increased as the oven fills so as to flatten the trajectories of the coal particles.

The problem addressed by the present invention may therefore be considered that of providing a process for filling a horizontal-chamber oven wherein cone formation below the filling orifices, which would obstruct gas withdrawal, is prevented.

The discharge element described in D1 is fastened to a rotating telescopic arm which is extended into the oven chamber and whose reach may be adjusted to the filling height of the charge. Thus, the approach selected in D1 to achieve a maximally level charge surface differs from that described in the subject matter of independent claim 1.

A person skilled in the art would not be prompted by D1 to vary the speed of the discharge element in relation to filling height so that, by appropriately increasing speed to achieve a preferred charging of the peripheral area with coal particles, cone formation may be prevented.

2.3 Proceeding from D3 as the closest prior art:

D3 likewise discloses the features of the preamble of independent claim 1: consequently, both the difference between the prior art and the claimed subject matter and the problem are the same as those already indicated.

D3 also gives no suggestion that would lead a person

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skilled in the art to the solution as per independent claim 1.

2.4 The solution proposed in claim 1 of the present application may therefore be considered to involve an inventive step (PCT Article 33(3)).

2.5 Claims 2-4 are dependent on claim 1 and therefore likewise meet the PCT requirements for novelty and inventive step.

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